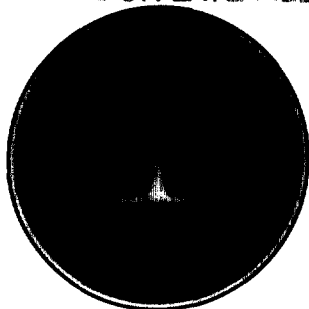


# National Association of Regulatory Utility Commissioners

## Incorporated

CHERYL L. PARRINO, *President*  
Wisconsin Public Service Commission  
Post Office Box 7854  
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EX PARTE OR LATE FILED



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February 20, 1996

Mr. William Canton, Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

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**Re: NARUC EX PARTE COMMENTS - Two Copies Filed In:**

**In the Matter of the Amendment of the Commission's Rules  
and Policies to Increase Subscribership and Usage of the  
Public Switched Network (CC Dt No. 95-115)**

Dear Mr. Canton:

The Notice of Proposed Rulemaking ("NPRM") adopted in this proceeding on July 13, 1995 is intended to address recent declines in telephone subscribership through various proposals that could directly impact existing and pending State initiatives. Based on a July 1995 resolution, on September 27, 1995, NARUC filed initial comments respectfully suggesting that, although our association generally supports the FCC's examination of policies to promote subscribership, (i) the FCC should adopt a collaborative approach to addressing the NPRM issues in a manner that is consistent with existing State initiatives and does not hamper State implementation of universal service policies, and (ii) proposals to modify the Lifeline/Linkup programs should be addressed through a Federal-State Joint Board. Later, on October 27, 1995, NARUC filed reply comments.

In the interim certain state staff and commissioners convened a conference call with the FCC to discuss (1) how adopting principles might increase subscribership, (2) the FCC's need for more information on state policies, (3) the need for more accurate subscribership data from the U.S. Census Bureau, and, finally, (4) the need for additional discussions on these issues. As a result of this call, NARUC developed a set of proposals to serve as the basis for further discussions with the FCC and formalized them in a resolution passed at its November 1995 meetings. That resolution, inter alia, commends the FCC for collaborating with the states on issues relating to subscribership and universal service.

1201 Constitution Ave., N.W., Suite 1102, Washington, D.C. 20423  
Mailing Address: Post Office Box 684, Washington, D.C. 20044-0684  
Telephone: 202-898-2200 Fax: 202-898-2213

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\*Member of the Executive Committee of the Association

Although, as is customary, a complete set of NARUC's resolutions was made available informally to the Commission, this ex parte letter is intended to make that resolution a formal part of the record in this proceeding.

In the November resolution, a copy of which is attached for your information and review, NARUC proposes the following principles as the basis for further discussion with the FCC on telephone subscribership:

- Policies should be consistent with maintaining and/or increasing telephone subscribership;
- Policies should be competitively neutral;
- Local service providers should provide, at little or no charge, options to help customers control their telephone usage and should inform customers of these options;
- Additional information should be available to customers about their service options and prices (e.g., toll rates, collect calls, and pay-per-call services);
- Where involuntary blocking is allowed for nonpayment of billed amounts, it should be limited either to the unpaid service(s) or, where technically feasible, to the provider(s) of the unpaid service(s); and
- The FCC should defer to state authority on issues regarding blocking and billing, such as voluntary intrastate toll blocking and multiple balance billing; and

The resolution also suggests that, as part of the collaborative process, the states and the FCC determine what additional information is required on state policies and on subscribership levels.

Finally, the resolution suggests that the FCC provide an opportunity for additional comments on the results of the federal-state collaborative process prior to taking any final action in this proceeding.

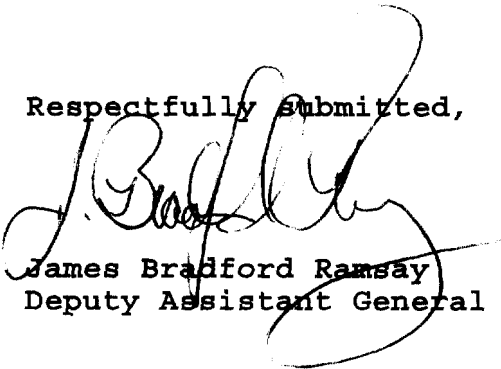
Mr. William Canton, Secretary  
Federal Communications Commission  
NARUC'S February 20, 1996 WRITTEN EX PARTE PRESENTATION

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NARUC respectfully requests that the Commission carefully examine and implement the proposals described in this letter. If you have any questions concerning this filing, or you need more information on NARUC's position, please do not hesitate to call me at 202-898-2200.

Pursuant to 47 C.F.R. §§ 1.1204-6, I am submitting, for the record, two copies of this letter for filing in the above-captioned proceedings.

Respectfully Submitted,



James Bradford Ramsay  
Deputy Assistant General Counsel

cc: Chairman Reed Hundt  
Commissioner James Quello  
Commissioner Andrew Barrett  
Commissioner Rachelle Chong  
Commissioner Susan Ness  
Regina Keeney, Chief, Common Carrier Bureau  
Kathy Levitz, Deputy Chief, Common Carrier Bureau

## **Appendix - Resolution Supporting Federal-State Collaboration On Subscribership Issues**

**WHEREAS**, On July 20, 1995, the FCC released a Notice of Proposed Rulemaking (NPRM) in CC Docket 95-115 to address recent declines in telephone subscribership; and

**WHEREAS**, At its 1995 Summer Meetings in San Francisco, California, the NARUC adopted a resolution supporting FCC examination of policies to promote telephone subscribership, so long as federal policies or rules do not limit the flexibility of the states to implement their own universal service policies; and

**WHEREAS**, The NARUC also favored a collaborative federal-state approach to addressing universal service issues, rather than limiting state input to the filing of written comments; and.

**WHEREAS**, In initial comments on the NPRM, several states proposed that the FCC establish broad principles under which states could fashion their subscribership and universal service policies, while others proposed interstate rules; and

**WHEREAS**, Various state staff and commissioners convened a conference call with the FCC in October where the following issues were discussed: how adopting principles might serve to increase telephone subscribership; a request from the FCC for additional information on state telephone subscribership policies; and the need for more accurate and detailed subscribership data from the U.S. Census Bureau; and

**WHEREAS**, The FCC and state participants agreed to further discussions on these issues; and

**WHEREAS**, The NARUC has developed a set of proposals that would serve as the basis for further discussion with the FCC on telephone subscribership; and

**WHEREAS**, The proposals are as follows:

- o Policies should be consistent with maintaining and/or increasing telephone subscribership.
- o Policies should be competitively neutral.
- o Local service providers should provide, at little or no charge, options to help customers control their telephone usage and should inform customers of these options.
- o Additional information should be available to customers about their service options and prices (e.g., toll rates, collect calls, and pay-per-call services).

- o Where involuntary blocking is allowed for nonpayment of billed amounts, it should be limited either to the unpaid service(s) or, where technically feasible, to the provider(s) of the unpaid service(s); and
- o The FCC should defer to state authority on issues regarding blocking and billing, such as voluntary intrastate toll blocking and multiple balance billing; and

**WHEREAS**, Additional information on state telephone subscribership policies and on telephone subscribership levels would be beneficial for addressing universal service issues; now, therefore, be it

**RESOLVED**, That the National Association of Regulatory Utility Commissioners (NARUC), convened in its 107th Annual Convention in New Orleans, Louisiana, commends the FCC for collaborating with the states on issues relating to telephone subscribership and universal service; and be it further

**RESOLVED**, That the proposals should serve as the basis for further discussion with the FCC on telephone subscribership; and be it further

**RESOLVED**, That as part of the collaborative process, the states and the FCC determine what additional information is required on state telephone subscribership policies and on telephone subscribership levels, and be it further

**RESOLVED**, That the FCC provide an opportunity for additional comments on the results of the federal-state collaborative process prior to any final action in this proceeding, and be it further

**RESOLVED**, That the NARUC General Counsel be directed to file and take any appropriate action to carry out the intent of this resolution.

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Sponsored by the Committee on Communications  
Adopted November 15, 1995  
Reported NARUC Bulletin No. 48-1995, p. 3.